The Mysore Excise (Amendment) Bill, 1951.

Motion to consider.

The Hon'ble Sri H. SIDDAIYA (Minister for Revenue and Excise).—Sir, I beg to move:

"That the Mysore Excise (Amendment,) Bill, 1951, be taken into consideration."

No doubt the Bill is a very simple one but it involves a question of law for the simple reason that the wording of section 13-A of the Mysore Excise Act as it now stands is not very clear and is capable of various interpretations. To be free from doubt, this amendment is sought for. As a matter of fact, in a certain case brought before a magistrate, a doubt was felt and the accused was acquitted, the Magistrate relying on the decisions of the other High Courts such as Bombay and Patna. The present section as it stands does not refer to the public but refers to a person. The actual wording of the judgment of the Bombay High Court in 41 Criminal Law Journal which was also followed by a Full Bench of the Patna High Court in 46 Criminal Law Journal is very clear.

It is made very clear in the course of the judgment. The Chief Judge has interpreted the expression, "by any person or class of persons" to mean a person designated by name or by description or a class of persons designated, but not as including the public generally and that as pointed out if the intention of legislation was that prohibition should be extended to the public generally, it would have been so stated in clear language. The Magistrate relying upon these two decisions has acquitted the accused in this case. It is necessary in the interest of justice that this amendment is accepted. So, this Bill may be accepted.

Mr. SPEAKER.—The question is:

"That the Mysore Excise (Amendment) Bill, 1951, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—The clauses of the Bill will now be submitted to the Assembly. Clauses 2 and 3, both inclusive.

The question is:

"That Clauses 2 and 3, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 1.

The question is:

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble.

The question is:

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

The Hon'ble Sri H. SIDDAIYA.—Sir, I beg to move:

"That the Mysore Excise (Amendment) Bill, 1951, be passed."

Mr. SPEAKER.—The question is:

"That the Mysore Excise (Amendment) Bill, 1951, be passed."

The motion was adopted.

The Mysore Restriction of Meetings near the Legislative Assembly Bill, 1951.

Motion to consider.

The Hon'ble Sri K. T. BHASHYAM.—(Minister for Law and Labour).—Sir, I beg to move:

"That the Mysore Restriction of Meetings near the Legislative Assembly Bill, 1951, be taken into consideration."

This Bill is somewhat important because the State Legislative Assembly is the supreme legislative body in the State and it has to work in an atmosphere of silence and undisturbed concentration on the work that they are called upon to undertake. It generally